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ANDRE STEADMAN, :

Plaintiff, :

-against- :

CAROLYN W. COLVIN, :

Acting Commissioner of Social Security, :

Defendant. :

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## 14-CV-7495 (VEC) (DCF)

*Pro se* Plaintiff Andre Steadman commenced this action seeking review of the denial of his application for Supplemental Security Income (“SSI”) by the Social Security Administration (“SSA”). On September 30, 2014, this Court referred the action to Magistrate Judge Debra C. Freeman. Dkt. 5. On January 5, 2015, Defendant Carolyn W. Colvin moved for dismissal of Plaintiff’s complaint pursuant to Fed. R. Civ. P. 12(b)(1), arguing that the Court does not have subject matter jurisdiction over Plaintiff’s claim because Plaintiff failed to exhaust his administrative remedies. Dkt. 12. On April 23, 2015, Magistrate Judge Freeman issued a Report and Recommendation (“R&R”) recommending that Defendant’s motion be granted. Dkt. 15. The R&R notified Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure, his deadline to file an objection to the R&R was May 11, 2015. No objections were filed.

In reviewing a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). When no objections are made to a magistrate judge’s report, a district


court may adopt the report so long as “there is no clear error on the face of the record.” *Phillips v. Reed Grp., Ltd.*, 955 F. Supp. 2d 201, 211 (S.D.N.Y. 2013) (citation omitted).

**CONCLUSION**

Upon careful review of the R&R, the Court finds no clear error and agrees with Magistrate Judge Freeman’s findings. Accordingly, the R&R is adopted in full, and Defendant’s motion to dismiss is GRANTED. The Clerk of the Court is respectfully directed to terminate the case.

**SO ORDERED.**

**Date: July 14, 2015**  
**New York, NY**

  
**VALERIE CAPRONI**  
**United States District Judge**